



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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August 5, 1999

Chuck Semborski, Environmental Supervisor
Energy West
P. O. Box 310
Huntington, Utah 84528

Re: Rilda Canyon Access, PacifiCorp, Deer Creek Mine, ACT/015/018-99B, File #2, Carbon County, Utah

Dear Mr. Semborski:

The Division has completed the review of your proposal to access the Deer Creek Mine by way of Rilda Canyon. The U. S. Forest Service has also provided comments to our Agency regarding your proposal. These documents have been previously faxed to your company. As you will note there are a number of findings and comments that need to be addressed prior to approval of your proposal. It is my understanding that your company has been working with the Forest Service to obtain a categorical exclusion approval for that portion of your proposal requiring federal input. Your response to our technical analysis and Forest Service comments by August 26, 1999 is appreciated. I will also "E" mail this document to you.

TECHNICAL ANALYSIS:

OPERATION PLAN

ENGINEERING

Regulatory Reference: R645-301-527, et al.

Analysis:

Transportation Facilities Classification of Roads

The current, approved mining and reclamation plan for the Rilda Canyon surface facilities as indicated on page 3-42.1 (as revised 7/19/95, ACT/015/018-94E) states that "vehicular use of the road will only occur in emergency situations". Surface facility environmental inspections are

conducted on foot from the disturbed area boundary (permittee's gate) up to the fan pad/portals area, a distance of 1150 feet. This classifies the road as ancillary.

Proposal ACT/015/018-99B will change the road classification to "primary" as described by 527.122, frequent use for access or other purposes for a period in excess of six months. The road will be open for material hauling from April 15 through November 30, (7.5 months).

The current MRP contains a P.E. certified road design, as shown on CE-10890-EM (approved by ACT/015/018-94E). Pages 3-90 and 91 (revised 5/4/99) indicate that the Rilda Canyon access road "was designed in accordance with recommendations from the surface management agency (Manti-Lasal National Forest).

It has been requested of Energy West Mining Company that it be confirmed that the road design, as it exists, be re-examined to determine its adequacy with regard to the anticipated increase in traffic, based on an increase in the number of trips as well as increased vehicle weights, (see R645-301-534.200). The USFS is also considering this issue.

Findings:

The status of the Rilda Canyon access road above the disturbed area perimeter road gate is being changed from an ancillary road that has seldom seen heavy traffic, to a primary road that will see five trips per day by tractor/trailer type vehicles. This is an increase in usage and vehicle weights. A P.E. certified design exists for the current road; if that design is deemed adequate by the permittee (and receives a new P.E. certification indicating the design is adequate for increased traffic and vehicle weights) and the USFS, then the requirements of R645-301-527 and -534 will have been adequately addressed.

SEDIMENT CONTROL/SNOW REMOVAL

Regulatory Reference: R645-301-731.121, R645-301-742.423.1

Analysis:

Protection of Surface Water Quality Primary Road Drainage Controls

The submittal was prepared after a co-operative meeting was held with the Manti-Lasal Forest District and the Utah Division of Wildlife Resources. As such, the closure period for the deer/elk prime winter range requirement from December 1-April 15 was noted as a stipulation for approval from the outset. Should snow removal prior to December 1 or after April 15 be necessary, the permittee has indicated that same will be accomplished by picking up the snow and hauling it to the active waste rock site. There, it will be treated by coursing the runoff through the sediment pond at that location. The side casting of snow onto the roadside bank above the Rilda drainage or into the adjacent road ditch will not be practiced. Drainages will be

maintained based on standard procedures practiced during snow season.

Findings:

The permittee's snow removal operation plan is adequate to meet the requirements of R645-301-731.121 and 742.423.1.

Analysis of Stipulations

- 1) Page 43, stipulation #4; "Storage of materials limited to gravel products in approved locations". There is no map or verbiage submitted with the proposal to designate proposed gravel storage areas at the Rilda Canyon surface facilities site. This should be done so the agencies reviewing the application know what specific areas will be utilized upon approval.
- 2) Page 43, stipulation #5; "Access gate to road to be closed and locked after entry". This statement indicates that the driver making the delivery will make two exits from the vehicle to unlock and relock the gate (four occurrences per delivery, or 21.6 occurrences per day). This individual feels that this is unrealistic and it is not going to happen. The permittee is setting himself up for a compliance issue here; further analysis needs to be conducted regarding same
- 3) Page 43, stipulation #7; "Road will not be used when wet and susceptible to damage." What degree of wetness and susceptibility to damage will be used to determine "non-use"? Who will make the judgment?
- 4) Page 43, stipulation #13; "Material will not be hauled out of the Rilda Canyon portal and transported down the Rilda Canyon road without prior approval". It is this individual's opinion that this stipulation should be modified to read "Materials such as coal, coal mine development waste, and/or non-coal waste will not be hauled out of the Rilda Canyon portal and transported down the Rilda Canyon road without prior written approval from the USFS Manti-Lasal National Forest, Utah DWR and the Utah Division of Oil, Gas and Mining."

RECOMMENDATIONS TO APPLICANT

Page 3-7, Volume 2 of the Deer Creek Mine mining and reclamation plan needs to be revised to reflect the information provided in this submittal. Same currently states that "Six to seven breakout portals are eventually planned at this location (Rilda Canyon) to serve future Deer Creek Mine facilities. This is contradictory to the last three lines highlighted at the bottom of page 43.

CONCLUSIONS

It is recommended that the previous comments be coordinated with those made by reviewers from the USFS and the Utah DWR. All comments should then be forwarded to the

permittee, such that acceptable revisions can be made and returned to the agencies involved for additional review.

COMMENTS PROVIDED BY THE MANTI LA SAL NATIONAL FOREST

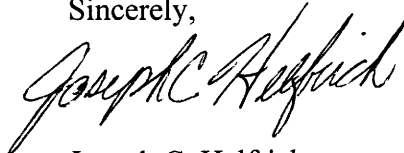
1. PacifiCorp must conduct an engineering analysis to determine whether or not the road can accommodate the proposed loads and traffic without causing damage to the road surface.
2. PacifiCorp must commit to repairing any damage to the road and facilities, in the event that damage occurs.
3. PacifiCorp must propose suitable methods for controlling fugitive dust from hauling and provide additional sediment control along the road to prevent introduction of sediment into Rilda Creek from road surface pulverization.
4. The road was designed for dry condition hauling and is not capable of withstanding the proposed haul loads during wet conditions. Hauling must be confined to dry conditions after April 15th and before December 1st. Only minor snow drift removal will be allowed by loading and hauling to the rock waste disposal area. The Forest Service, in cooperation with UDOGM and UDWR, will inspect the road each spring and fall to determine suitable wildlife (big game and raptor habitat usage) and hauling conditions. Hauling must cease when wet conditions occur, until the road dries sufficiently to again sustain the proposed loads.
5. Other than minor repairs needed to the road surface, no widening of the road or breakout pad will be allowed.
6. PacifiCorp must provide a statement that they do not intend to upgrade their facilities in Rilda Canyon for any future operations. The current statement which they provided only references operations in the Rilda Canyon area. The concern by the Forest Service, water users, and County officials is that PacifiCorp will continue to propose increased hauling in the canyon as well as incremental improvements to the existing facilities.
7. We question that the pad area is large enough to turn the trucks as proposed. A statement needs to be provided that confirms that the existing facility can accommodate the hauling, turning, and unloading needs.
8. There are concerns regarding public safety in conjunction with the increased truck traffic on State Hwy. 31 and the Rilda Canyon Road, especially at the intersection. This is not within FS authority, but should be addressed through coordination with the State Hwy. Dept. and Emery County. PacifiCorp must coordinate with the appropriate agencies to obtain necessary permits or permissions.

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9. PacifiCorp must coordinate with the North Emery Water Users Association to determine whether or not the County road can accommodate hauling over the spring development and associated pipeline. This portion of the road is under County jurisdiction, however the Forest Service is concerned that the water development facilities under the road, which are authorized under a Forest Service Special-Use Permit, could be damaged.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph C. Helfrich". The signature is fluid and cursive, with the first name "Joseph" and last name "Helfrich" clearly distinguishable.

Joseph C. Helfrich
Permit Supervisor

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cc: Janette S. Kaiser, USFS
Miles Moretti, Price DWR
Price Field Office
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